IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended): A recording/reproducing apparatus for recording and reproducing data to and from an optical disc being loaded, said recording/reproducing apparatus comprising:

recording/reproducing means for recording and reproducing data to and from said optical disc by emitting a laser beam to recording tracks on the loaded optical disc;

transporting means for transporting said recording/reproducing means to a relevant recording track on said optical disc;

error rate detecting means for detecting an error rate of the data reproduced from said optical disc; and

laser beam intensity controlling means for controlling in intensity said laser beam emitted to said optical disc in accordance with said error rate resulting from the detection by said error rate detecting means,

wherein said laser beam intensity controlling means has a first and a second threshold value, said first threshold value being used to determine whether said error rate detected by said error rate detecting means is at a normal level, said second threshold value being used to determine whether said error rate is at an irreparable level; and

wherein, if said error rate is found falling between said first and said second threshold values, said laser beam intensity controlling means raises the intensity of said laser beam to a level higher than the intensity in effect when said error rate is smaller than said first threshold value.

2. (Canceled).

3. (Currently Amended): The recording/reproducing apparatus according to claim 1 [[2]], wherein, if said error rate detected by said error rate detecting means is smaller than said first threshold value, said laser beam intensity controlling means enables said recording/reproducing means to record and reproduce the data to and from said optical disc.

4. (Currently Amended): The recording/reproducing apparatus according to claim 1 [[2]], wherein, if said error rate detected by said error rate detecting means exceeds said second threshold value, said laser beam intensity controlling means disables said recording/reproducing means from recording the data to said optical disc being loaded.

5. (Original): The recording/reproducing apparatus according to claim 1, wherein said error rate detecting means detects said error rate by recording and reproducing calibration data to and from said optical disc after said transporting means has transported said recording/reproducing means to a relevant recording track.

6. (Currently Amended): A recording/reproducing apparatus for recording and reproducing data to and from an optical disc being loaded, said recording/reproducing apparatus comprising:

optical disc loading/ejecting means for transporting said optical disc between a first position in which the data is ~~are~~ record and reproduced to and from said optical disc, and a second position in which said optical disc is ejected;

recording/reproducing means for recording and reproducing the data by emitting a laser beam to a recording track on said optical disc;

transporting means for transporting said recording/reproducing means in such a manner that said laser beam is emitted to a relevant recording track on said optical disc;

error rate measuring means for measuring an error rate of the data reproduced by said recording/reproducing means;

laser beam intensity controlling means for controlling in intensity said laser beam emitted to said optical disc; and

controlling means for causing said error rate measuring means to measure the error rate of the data read by said recording/reproducing means from said optical disc loaded by said optical disc loading/ejecting means, said controlling means further causing said laser beam intensity controlling means to change the intensity of said laser beam in accordance with said error rate resulting from the measurement by said error rate measuring means,

wherein said controlling means has a first and a second threshold value, said first threshold value being used to determine whether said error rate measured by said error rate measuring means is at a normal level, said second threshold value being used to determine whether said error rate is at an irreparable level; and

wherein, if said error rate is found falling between said first and said second threshold values, said controlling means controls said laser beam intensity controlling means to raise the intensity of said laser beam to a level higher than the intensity in effect when said error rate is smaller than said first threshold value.

7. (Canceled).

8. (Currently Amended): The recording/reproducing apparatus according to claim 6 [[7]], wherein, if said error rate measured by said error rate measuring means is smaller than

said first threshold value, said controlling means enables said recording/reproducing means to record and reproduce the data to and from said optical disc.

9. (Currently Amended) The recording/reproducing apparatus according to claim 6 [[7]], wherein, if said error rate detected by said error rate detecting means exceeds said second threshold value, said controlling means disables said recording/reproducing means from recording the data to said optical disc.

10. (Original): The recording/reproducing apparatus according to claim 9, wherein said controlling means causes said optical disc loading/ejecting means to eject to said second position said optical disc onto which the recording has been disabled.

11. (Original): The recording/reproducing apparatus according to claim 9, further comprising signaling means for signaling that the recording onto said optical disc has been disabled.

12. (Original): The recording/reproducing apparatus according to claim 6, further comprising communicating means for communicating data with an external apparatus;

wherein said controlling means causes said communicating means to transmit to said external apparatus said error rate resulting from the measurement by said error rate measuring means.

13. (Original): The recording/reproducing apparatus according to claim 6, wherein said error rate measuring means measures said error rate by recording and reproducing

calibration data to and from said optical disc after said transporting means has transported said recording/reproducing means to a relevant recording track.

14. (Original): The recording/reproducing apparatus according to claim 6, further comprising storing means for storing content to be recorded to said optical disc being loaded.

15. (Original): The recording/reproducing apparatus according to claim 6, further comprising receiving means for receiving content from an external apparatus so that the received content may be recorded to said optical disc.

16. (Currently Amended): A recording/reproducing method for recording and reproducing data to and from an optical disc, said recording/reproducing method comprising the steps of:

transporting an optical head to a relevant recording track on said optical disc so that said optical head may emit a laser beam to said recording track;

recording relevant data to said recording track to which said optical head has been transported;

reproducing the recorded relevant data;

measuring an error rate of the reproduced data; ~~and~~

controlling in intensity said laser beam emitted to said optical disc at a time of recording in accordance with the measured error rate; and

comparing said measured error rate with a first and a second threshold value, said first threshold value being used to determine whether said measured error rate is at a normal level,

said second threshold value being used to determine whether said measured error rate is at an irreparable level,

wherein, if said measured error rate is found smaller than said first threshold value, said laser beam intensity controlling step enables recording and reproduction of the data to and from said optical disc.

17. (Canceled).

18. (Currently Amended): The recording/reproducing method according to claim 16 [[17]], wherein, if said measured error rate is found falling between said first and said second threshold values, said laser beam intensity controlling step raises the intensity of said laser beam to a level higher than the intensity in effect when said error rate is smaller than said first threshold value.

19. (Currently Amended): The recording/reproducing method according to claim 16 [[17]], wherein, if said measured error rate is found to exceed said second threshold value, said laser beam intensity controlling step disables recording of the data to said optical disc.

20. (Original) The recording/reproducing method according to claim 19, further comprising the step of:

signaling that the recording of the data has now been disabled if the recording of the data to said optical disc is disabled.